

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARK GEINOSKY,)	
)	
Plaintiff,)	No. 10 C 1438
)	
vs.)	Judge Darrah
)	
CITY OF CHICAGO, et al.,)	Magistrate Judge Valdez
)	Jury Demand
Defendants.)	

**DEFENDANTS' MOTION FOR ENTRY OF
PROTECTIVE ORDER**

Defendants, City of Chicago and Officers Steven Sabitono and Kenneth Wilkerson by their attorney Mary McDonald, Assistant Corporation Counsel, respectfully move this Honorable Court, pursuant to Fed.R.Civ.P. 26(C) and 45 C.F.R. 160 and 164, for entry of the attached Confidential Matter Protective Order.

In support thereof, Defendants state as follows:

1. The parties anticipate that documents pertaining to the parties and non-parties may be sought and produced in this matter. The parties also anticipate production in this litigation of personnel file-related information such as disciplinary history, Complaint Registers, Complaint Registers containing personnel record information regarding police officers and other Chicago Police Department personnel (including third-parties), including but not limited to personal identifiers of officers and their families, disciplinary histories, medical information, reports and other actions, as well as other information of unrelated civilian parties and witnesses

that is sensitive or of a non-public nature related to discipline, confidential statements, medical information, and personal identifiers.

2. Personnel files, disciplinary histories and related information are protected by the Illinois Personnel Records Review Act, 820 ILCS 40/0.01 (West 2004) and the Illinois Freedom of Information Act, 5 ILCS 140/7 (West 2004).

3. Defendants Confidential Matter Protective Order prohibits use of personnel files and other personnel and disciplinary information, and Complaint Register files for any purpose other than litigation of this case, prohibits their dissemination to parties outside this litigation, and requires their return to the producing party at the end of this litigation. Such an order would ensure the protection of such information, consistent with the principles of federal and Illinois law. This order will also protect against improper dissemination of confidential information and unfairness in the trial process.

4. A copy of this proposed Protective Order has been attached as Exhibit A.

WHEREFORE, Defendants respectfully request that this Court enter the attached Confidential Matter Protective Order in this matter.

Respectfully submitted,

/s/ Mary McDonald
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